IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.307 OF 2006

Shri Ambalal Madanlal Kuwadia ...Applicant
Vs.
The State of Maharashtra & Ors. ...Respondents

Shri D.L.Lad for the Applicant.
Shri A.S.Shitole, A.P.P. for the Respondent-State.

CORAM : A. S. OKA, J.
DATE : AUGUST 16, 2006.

P.C.:

1. Heard the Advocate appearing for the Applicant and the learned A.P.P. for the State. By the order impugned in this Revision Application, the learned Additional Sessions Judge has condoned delay in preferring Revision Application. The Revision Application has been filed by the second Respondent for challenging order issuing process in a complaint under section 138 of the Negotiable Instruments Act, 1881.

2. The learned Advocate appearing for the Applicant submitted that there was no sufficient cause for condonation of delay of 16 months and therefore interference by this court is called for.

3. I have considered the submissions. It is true that delay is of 16 months. In paragraph No.2 of the impugned order the learned Sessions Judge has referred to grounds given in the Application for condonation of delay and has come to the conclusion that there was no intentional delay and there was no negligence on the part of the second Respondent. While dealing with Application for condonation of delay, liberal approach is contemplated. There is no error in the impugned order. Revision Application is rejected.

JUDGE